



07-14-62

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF HAZARDOUS WASTE MANAGEMENT
 CN 028
 Trenton, N.J. 08625-0028
 (609) 633-1408
 Fax # (609) 633-1454

OCT 5 1990

OCT 03 1990

T.B. Frey, President
 Frey Industries, Inc.
 P.O. Box 9307
 Newark, NJ 07104

RE: Closure of Frey Industries Hazardous Waste Facility, Newark, New Jersey, EPA ID No. NJD 000 729 780

The Bureau of Hazardous Waste Engineering (BHWE) is in receipt of correspondence from Mr. William Wertz of Environmental Waste Management Associates dated August 28, 1990 concerning the closure of the above referenced facility. In the letter, you reiterated your understanding that the facility is not subject to RCRA regulations, based on the following:

1. The 82 Aboveground Storage Tanks (AGST) in Building #7 were listed in an incomplete and erroneous Part A Application filed by Jobar Packaging, Inc., the previous operator of the facility.
2. The AGST were never used for treatment, storage and/or disposal of hazardous waste.
3. Previous sampling results pertaining to the AGST contents, submitted to the Metro Bureau of Enforcement (MBE), indicate the contents to be non-hazardous.

In his letter, Mr. Wertz also proposed to submit a "decommissioning" plan for the underground storage tank (UGST) located underneath building #7 as well as two AGST located within a concrete dike.

In response to the above described items, the BHWE undertook the following actions:

1. A completed copy of Jobar Packaging, Inc.'s Part A Application dated November 17, 1980 signed by Barry Kessler, was obtained from the USEPA. The referenced document (copy attached for your records) indicates a hazardous waste activity of S02 (tank storage) for a total of 201,767 gallons including 82 AGST and one UGST in building #7.
2. A copy of the results of sampling conducted by Enviro Sciences (E.S.) on the contents of the AGST obtained from the MBE is enclosed.

237805



3. A copy of correspondences between the Bureau of Regulation, Classification and Technical Assistance (BRCTA) of the Department and E.S. was obtained and reviewed. Copies are attached for your records. These correspondences indicate the following:
 - (a) By letter dated June 27, 1987 E.S. submitted the results of sampling to the Department.
 - (b) By letter dated September 11, 1987 E.S. was requested to submit additional information on the sampling results.
 - (c) By letter dated May 4, 1988 E.S. was informed that the matter was closed due to E.S.'s failure to submit the previously requested information.

Based on a review of all the relevant documents, the BHWE has determined that:

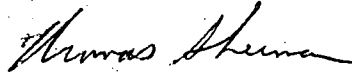
1. The notion that the facility is not subject to New Jersey Hazardous Waste Regulations is incorrect. The facility maintains TSD interim status per the Part A Application filed by Jobar in 1980. For that matter, Frey Industries is in violation of N.J.A.C. 7:26-12.3(c)4 for failure to notify the Department of the transfer of the operations to Frey Industries when it took over Jobar in 1982.
2. No classification has been rendered by the Department on the contents of the AGST.

In order to resolve the issue of closure, the facility has the following options:

1. Submit a closure plan, as described in the BHWE's letter dated August 3, 1990, within thirty (30) days of the date of this letter, for the 82 AGST and the UGST. Or,
2. Submit a classification request, within thirty (30) days of the date of this letter, to the Bureau of Regulation, Classification and Technical Assistance to determine if the contents of the 82 AGST and the UGST are classified as hazardous waste. If the contents are indeed classified as "non-hazardous" as you have indicated, the tanks may be delisted on the basis that the Part A Application was filed erroneously. However, a closure plan must be submitted to the BHWE, for any of the tanks determined to contain hazardous waste, within thirty (30) days of such determination.

If there are any questions, please contact Nader Nikjou of my staff at (609) 292-9880.

Very truly yours,



Thomas Sherman, Chief
Bureau of Hazardous Waste Engineering

EP14/dbm
Enclosures

c: ~~Boleslaw Czachor, BME(Enclose Part A)~~

William Wertz, Project Manager (w/Enclosures)
EWMA
200 Maltese Drive
Totowa, NJ 07512

Kurt Whitford, BRCTA (w/o Enclosures)

Chief, New Jersey Section,
Hazardous Waste Facilities Branch, EPA Region II

DOCUMENT: FREY4
FOLDER: DBMMCB



State of New Jersey

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT**

Metro Regional Office
2 Babcock Place, West Orange, N.J. 07052
(201) 699-3960

John J. Trelo, Ph.D., Director

RECEIVED
DIVISION OF
WATER RESOURCES
ENFORCEMENT
ELEMENT

Dec 12 10 40 AM '89

M E M O R A N D U M

TO: Tom Harrington, Supervisor, DWR-Metro
FROM: Jeffrey Sterling, RCRA Supervisor, Metro *MS*
RE: Underground Tank at Frey Industries, Newark
EPA ID# NJD000729780
DATE: December 4, 1989

The subject case is referred to your attention for review and possible follow-up action. This facility is known to have a large concrete underground tank (61ft X 42ft X 7ft) that has been used to store wash water from equipment cleaning, etc. which may or may not contain pollutants. The tank has been in existence for several years and it is not known whether or not any impact has been made to the groundwater.

Attached is a copy of a memo dated November 3, 1989. Please feel free to contact me or Mr. Boleslaw Czachor (669-3960) if you have any questions.

JAS:pg

cc: Boleslaw
Yacoub

6-14

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO FILE THRU JEFFREY STERLING DATE Nov. 17. 89FROM BOLESŁAW CZACHORSUBJECT FREY Ind. Inc. NJD000729780, investigation
up date.

On Monday Nov. 17. 89, the F.I.I facility located at 29-75 Riverside Ave, Newark, NJ. was inspected by the NJDEP officer Thomas Brady and writer of this memo. On site we were accompanied by MR. CHRISTOPHER FREY a company vicepresident.

The physical inspection of the warehousing facilities revealed that company has made some progress as far as housekeeping and maintenance of warehouses is concerned. No spills or leaks were observed and floors appeared to be in good standing. Nevertheless some containers were observed in bad conditions and some paper bags were noticed split-open, however the facility operator maintained that those are good product containers and the facility is continuously repackaging them during warehousing operations. No product could be wasted before it is reconsidered with the original manufacturer - customer.

Therefore in the light of above situation,

Observations and/or Other Comments

occurely there was no hwr. waste in storage at the facility during our inspection.

Later during the inspection we were approached by Mr. W. Wentz a rep. of E.W.M.A. a company environmental consultant, who informed us that letters regarding the company closure plan has been submitted to BtWE and the closure plan is to be follow (copies are attached to this memo) The closure plan should be submitted to BtWE in M.F.O. within next 2-3 weeks, accord. to Mr. W. Wentz.

In this situation we decided not to perform the RCRA inspection until the closure plan will be produced and submitted to this office. Also I notified the ECRRA that subject company may use wrong SIC code and ECRRA compliance may be overuled. The company claims that their SIC code is #4225, but my opinion is that proper SIC code for FII is #5169. (see copy attached.)

Inspector's Signature

B. Loder

- Facility Operator's Signature

DWR

07-14-62

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO FILE THRU JEFF STERLING DATE 11/03/89FROM BOLES LAW OFFICESUBJECT FREY Industries Inc, NJD 000729780;

investigation follow up

On Tuesday, Oct. 17.89 at approximately 1100 hrs the N.J DEP-BHWE representatives MR Bill Sharples, MR. NIKJOU and the DTHWM representative a writer of this memo, met the Frey Ind. Inc representatives MR. TILGHMAN FREY a president and for the company and MR WILLIAM WERTZ an environmental consultant for the company. The purpose of the meeting, which was held in the office of BHWE, was to clarify the Frey Industries Inc operations, and to determine company status and responsibilities as far as the N.J. Haz. Waste Regulations are concerned and applicable.

The conclusions drawn from the meeting were the following:

- The FII is operating as generator and TSF at its present location.
- The FII is fully responsible and is in charge of h.w. waste which is generated during

Observations and/or Other Comments

their business operations

- The company agreed to submit the closure plan for its current location at 29-75 RIVERVIEW AVE, NEWARK, N.J. since the company is planning to move to new facility located on DOREBUS AVE also in NEWARK, N.J. The closure plan should be submitted to the DWR-MFO within three weeks after this meeting.
- The company SIC code is 4225 - general warehousing and which accord. to MR. TILGHMAN FREY is not a subject to the EPCRA. However I contacted EPCRA rep. Ms. GRACE JACOB, tel 609-633-7141 and found that in this case the company will have to obtain the letter of nonapplicability from that agency.
- The company is in charge of underground concrete storage tank, size 61' x 42' x 7', which was used to store the wash water from washing of equipment used in chemical transfer operation. Because the tank is of concrete and brick structure, it may leak waste water and/or haz. waste into the ground water. The tank is located under the warehouse building #7. The underground store tank may require the NJDES permit, therefore this case is referred to the DWR-MFO for further investigation and

Inspector's Signature

Facility Operator's Signature

Observations and/or Other Comments

follow up.

The RCHA inspection should be conducted at the facility within one week after the closure plan is submitted to this office.

Inspector's Signature

B. L. L. L.

Facility Operator's Signature

as letter
from Frey

AD-69

STATE OF NEW JERSEY
DEPARTMENT OF Environmental Protection

ROUTE SLIP

DATE: 11/03/89

TO:

NAME GRACE JACOB

LOCAL OFFICE
OR BUREAU:

EEPA

To return to sender, write "TO" below, and fold back on dotted line.

FROM

BOLES LAW CATCHER

- ☒ Take Necessary Action
- ☐ Investigate and Report
- ☐ See Me
- ☐ Telephone Me
- ☐ Initial and Circulate
- ☐ Note and Return
- ☐ Note and File
- ☐ Reply For My Signature
- ☐ For Your Signature
- ☐ For Your Approval
- ☐ For Your Comment
- ☒ For Your Information
- ☐ For Distribution
- ☐ Per Your Request

Remarks:

As per our
phone
conversation
Be

07-14-62

MEMO

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO FILE THROUGH JEFFREY STERLING DATE 10/06/89
 FROM BOLESŁAW CZACHOR
 SUBJECT FREY INDUSTRIES Inc, NJD 000729780,
investigation up date.

The FREY Industries Inc, located at 29 Riverside Ave Newark, N.J. with the EPA assigned ID number, NJD 000729780 is a warehousing, distributor and packaging facility for chemicals for industrial use. The company is providing its chemical handling, packaging and drumming services for approximately 50 customers, with unlimited number of chemicals. The major customers of FII are as follows: MONSANTO, BASF, MOBAY, GE, ARCO, and Olin. The services are carried out on both domestic and international markets. The company's general policy is that FII never owns any of the material which they handle.

Facility operations.

- storage of raw materials and good product for various customers - this operation does not generate a lot of waste unless the material becomes obsolete.
- packaging and drumming operations of material which comes on site in R.R. cars, intermodal tanks or tank trailers into drums or smaller containers. Accord. to facility

SUMMARY OF FINDINGS

FACILITY DESCRIPTION AND OPERATIONS

operator MR. T. Frey no h.w. waste is generated in those operations also. The hose ends and wash outs are hauled together with original material and shipped either to customer or back to generator.

The carbon vapor recovery containers used during transfer operations are sent back to the supplier which is Cologen Co., for their recovery. A minimal amount of waste may be generated from spill clean up operations.

→ acceptability of bad condition purchaser, damaged containers and spill clean up residues, storage of those at the facility until final disposition is made by customer. This operation appears to be controversial and may constitute the h.w. waste handling operation. The BHWI should determine and assess the extent of that activity and establish its status.

Currently the company is under ongoing investigation/inspection and the location was visited on 09/01/89, 09/11/89 and on 09/19/89, due to complexity of the company operations I agreed to

SUMMARY OF FINDINGS

FACILITY DESCRIPTION AND OPERATIONS

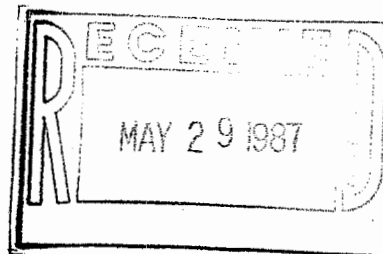
to the company request that the meeting with BHWEL should be arranged in order that proper status for the FII will be defined.

In fact the meeting is scheduled for Oct. 17:89 at the BHWEL offices and it is agreed that full RORA inspection will be conducted after that.



111 HOWARD BOULEVARD, SUITE 108
MT. ARINGTON, NEW JERSEY 07853
~~610-WE-MAIN-ST., ROCKAWAY, NEW JERSEY 07866~~

19 COPELAND RD., DENVILLE, NEW JERSEY 07834
(201) 366-6256



May 27, 1987

Mr. Arnold Schiff
NJDEP
Bureau Field Operations
Metro Region
2 Babcock Place
West Orange, N.J. 07052

Dear Mr. Schiff:

RE: Frey Industries

In accordance with our phone conversation of May 27, this letter will serve to formally request an extension on the submission of the closure plan and contingency plan for the above referenced facility.

As discussed, preliminary analysis of materials in the underground tank indicates that the contents are not a hazardous waste. ESI will confirm these findings by running an additional volatile organics (VO) scan. Because of the time involved in this process, an extension until June 14 is requested.

ESI will submit a copy of the results to you once they are received and will continue to inform you of actions taken to comply with the recent administrative order.

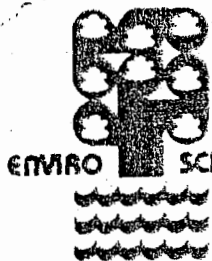
If you have any questions please feel free to call me at (201) 398-8183.

Sincerely,
ENVIRO-SCIENCES, INC.

Robert P. Dante
Sr. Project Manager

RPD/pls 87219d

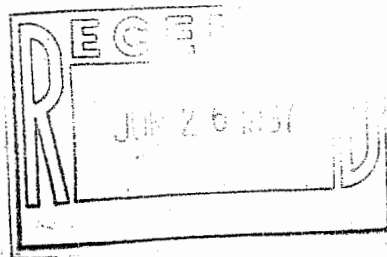
cc: ✓ Wayne Green
Ted Frey
Gary Redish, Esq.
Richard Katz
Irv Cohen



ENVIRO SCIENCES INC.

MAIN OFFICE
111 HOWARD BLVD., SUITE 108
MT. ARLINGTON, N.J. 07856
(201) 398-8183

67-14-62



June 23, 1987

Mr. Arnold Schiff
NJDEP
Bureau of Field Operations
Metro Region
2 Babcock Place
West Orange, NJ 07052

RE: Frey Industries, Inc.
Status Report

Dear Mr. Schiff:

As per our phone conversation of June 18, 1987, enclosed please find a letter addressed to Kurt Whitford of the Bureau of Hazardous Waste Planning & Classification requesting a waste classification determination for the contents in the below ground tank. Also enclosed, please find a copy of the analytical results sent to Mr. Whitford.

As we discussed, ESI is requesting an extension on the submittal of the closure plan until the BHWP&E can determine whether or not the tank contains a hazardous waste. In the interim, ESI will prepare an Emergency Contingency Plan for Frey Industries. The Plan will not address the underground tank until a waste classification determination can be made. If the tank is found to contain a hazardous waste, the contingency plan will be amended to include the underground tank.

ESI is requesting an extension until July 10 for the submission of the Contingency Plan. The time is needed to complete a site inventory and contact local authorities about emergency drills.

The seventy-two tanks on the third floor will be randomly sampled to determine whether or not they contain a hazardous waste. Frey Industries is still conducting an historical study of the tanks to determine their previous uses by PP & G. As soon as this information is obtained, it will be submitted to you.

Your assistance in expediting the BHWP&C in their review of the analytical data will be greatly appreciated by all parties.

If you have any questions, please feel free to call me at (201) 398-8183.

Sincerely,

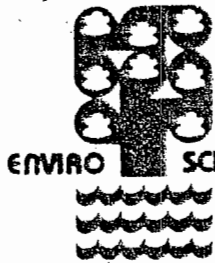
ENVIRO-SCIENCES, INC.



Robert Dante
Sr. Project Manager

BD/kag (BD87264c)

cc: Wayne Green
Ted Frey
Gary Redish, Esq.
Richard Katz
Irving Cohen



ENVIRO SCIENCES INC.

MAIN OFFICE
111 HOWARD BLVD., SUITE 108
MT. ARLINGTON, N.J. 07856
(201) 398-8183

June 23, 1987

Kurt Whitford
NJDEP
Bureau Hazardous Waste Planning & Classification
401 E. State Street
5th Floor
Trenton, NJ 08625

RE: Frey Industries, Inc.
29 Riverside Ave.
Newark, NJ 07104

Dear Mr. Whitford:

As per our phone conversation of June 18, 1987, concerning the above referenced facility, I have enclosed copies of the laboratory analyses for samples taken at the Frey Industrial site.

Frey Industries leases the Newark property which was purchased by the present owner from the City of Newark at a real estate tax sale. The property was formerly owned and occupied by Pittsburgh Plate Glass, Inc. PPG apparently owned and operated the 70,000 gallon underground tank before they abandoned the site. Frey Industries has not used the tank, nor have they been involved in the storing or handling of hazardous waste.

Frey Industries is a repackager of bulk chemicals for approximately 70 major chemical manufacturers. No blending or formulating is done at the facility. Line washings are drummed for return to the suppliers. Drums that have leaked or are damaged are placed in overpacks and sent back to the supplier along with any material which may have escaped the drums.

Frey Industries is under an Administrative Order from the DEP to prepare a closure plan for the underground storage tank but before a closure plan can be prepared samples had to be taken of the liquid in the tank to determine if the tank contains a hazardous waste.

Frey Industries took six samples from various locations in the tank and had them analyzed for RCRA Waste Classification Parameters.

Please review the attached documents to determine whether or not the

above described materials should be classified as a hazardous or non-hazardous waste.

Also please be advised that since Frey Industries is under an Administrative Order your expeditious review of this matter will be greatly appreciated.

If you have any questions or comments, please do not hesitate to call me at (201) 398-8183.

Sincerely,

ENVIRO-SCIENCES, INC.



Robert Dante
Sr. Project Manager

RD/kag (BD87265c)

cc: Arnold Schiff
Wayne Green
Ted Frey
Gary Redish, Esq.
Richard Katz
Irving Cohen



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HAZARDOUS WASTE FACILITY ANNUAL REPORT - PART I

1. CALENDAR YEAR COVERED 1983-1984
2. FACILITY'S NAME Frey Industries, Inc.
3. EPA ID NO. NJD000729780
4. MAILING ADDRESS P.O. Box 9307
Newark, N.J. 07104
5. STREET ADDRESS OF FACILITY 29 Riverside Avenue
Newark, N.J. 07104
6. FACILITY CONTACT T.R. Frey PHONE NUMBER (201) 482-0153
7. CLOSURE COST ESTIMATE \$ \$500.00
8. POST-CLOSURE COST ESTIMATE (if applicable) \$ Not Available
9. CERTIFICATION STATEMENT

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties under N.J.S.A. 13:1E-1 et seq. for submitting false information, including the possibility of fine and imprisonment".

TILGHMAN B. FREY
Print or Type Name

Tilghman B. Frey
Signature

9/7/84
Date

10. In addition to the information required above and that required in Part II of this report, please submit the following required items: (where applicable)
 - A. A copy of the facility's typical waste analysis form.
 - B. A copy of the facility's typical daily inspection form.
 - C. A copy of the typical notice to a generator, required under N.J.A.C. 7:26-9.4(a)1 and a listing of all generators who received this notice (only for commercial facilities).
 - D. A listing of all waste shipments rejected, according to manifest number and an explanation for each rejected shipment (only for commercial facilities).
 - E. A listing of all manifest discrepancies and an explanation of each discrepancy (only for commercial facilities).
 - F. A listing of the total quantity of each waste type treated, stored, or disposed of at the facility. This listing shall include all hazardous waste accepted at the hazardous waste facility, including all on-site generated hazardous waste.
 - G. A listing of the total quantities of each waste type consigned to each treatment, storage, or disposal process used at the facility. This listing shall include all hazardous waste accepted at the hazardous waste facility, including all on-site generated hazardous waste.
 - H. A report covering all incidents that required implementing the contingency plan.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HAZARDOUS WASTE FACILITY ANNUAL REPORT - PART II11. FACILITY EPA ID # NID0000729780

12. GENERATOR NAME Not Applicable

13. GENERATOR ADDRESS _____

14. GENERATOR EPA ID # _____

15. WASTE IDENTIFICATION

[illegible]